

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED  
RICHARD W. NAGEL  
CLERK OF COURT

2018 NOV 19 PM 4:02

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Case No.

Express Mail Parcel Label Number EL925915503US, postmarked November 6,  
2018, 4 ounces, addressed John Phil. 10993 Bluffside Dr. #2204 Studio City,  
CA 91604 [sic] with a return address of Jackie Brown 542 Salem AVE Dayton,  
Ohio 45406 [sic]

3:18mj754

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Express Mail Parcel Label Number EL925915503US

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Rossiter

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

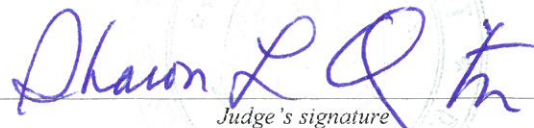
Sworn to before me and signed in my presence.

Date: 11-19-18

City and state: Dayton, Ohio

  
Applicant's signature

Joseph L. Rossiter, U. S. Postal Inspector  
Printed name and title

  
Judge's signature

Honorable Sharon L. Ovington  
United States Magistrate Judge  
Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                     )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, JOSEPH ROSSITER, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since May 2016. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for southeast Indiana, and southern Ohio. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Based on my training and experience, I have become aware that drug traffickers frequently use Priority Mail Express, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Based on my training and experience, I also know that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the U.S. Mail was used, I have learned of certain characteristics indicative of other U.S. Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, the addressee is not known to receive mail at the listed delivery address, the parcel is heavily taped, the parcel is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the parcel, and the listed address is located in an area of known or suspected drug activity.

On or about November 12, 2018 I intercepted a parcel at the Dayton Processing and Distribution Plant (P&DC). The parcel is further identified as Express Mail Parcel Label Number EL925915503US addressed to John Phil 10993 Bluffside Dr. #2204 Studio City, CA 91604 [sic] with a return address of Jackie Brown 542 Salem AVE Dayton, Ohio 45406 [sic] (Here after referred to as "the Parcel"). Through training and experience Central California is a known drug source location.

I did a check in CLEAR of the addressee's information on the Parcel of John Phil 10993 Bluffside Dr. #2204 Studio City, CA 91604. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR there is no "John Phil" Andre Phillips associated with 10993 Bluffside Drive #2204, Studio City, CA 91604.

I did a check in CLEAR on the sender's on the Parcel of Jackie Brown 542 Salem AVE Dayton, Ohio 45406. According to CLEAR, there is no "Jackie Brown" associated with 542 Salem Ave, Dayton, OH 45406.

On November 19, 2018 Montgomery County Sheriff's Office Detective Anthony Hutson conducted a narcotic canine check of the Parcel. The Parcel was placed in a controlled area and presented to narcotic canine, "Gunner." "Gunner" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon the Parcel. As noted above, attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examinations.

The Parcel is further identified as follows: Express Mail Envelope, 12.5" x 9.5" in size, bearing tracking number EL925915503US, weighing 4 ounces, postmarked November 6, 2018, 018; see address information below:

**Sender:** Jackie Brown  
542 Salem AVE  
Dayton, Ohio  
45406

**Addressee:** John Phil  
10993 Bluffside Dr. #2204  
Studio City, CA  
91604



This information along with the positive alert of narcotic canine "Gunner" is indicative of drug packages or its proceeds.

Based on the information contained herein, I believe that contained in the Parcel is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

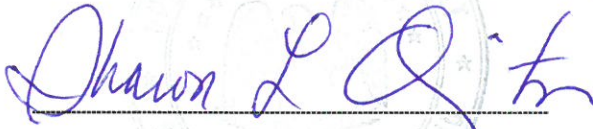
Therefore, a search warrant to open the Parcel is requested.

Further, your affiant sayeth naught.



Joseph L. Rossiter  
Postal Inspector

Subscribed and sworn to and before me this 19th day of Nov, 2018.



Honorable Sharon L. Ovington  
United States Magistrate Judge